

Root Compound at Portland, Maine, alleging that the article had been shipped in interstate commerce on or about July 6, 1937, by the Dairy Association Co., Inc., from Lyndonville, Vt., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that it consisted essentially of Epsom salt (20.6 percent), sulphur (18.2 percent), potassium nitrate (11.7 percent), together with ground plant material including poke root and uva ursi.

The article was alleged to be misbranded in that the name "Grange Poke Root Compound" was false and misleading when applied to an article that contained other physiologically active ingredients in addition to poke root. It was allegedly misbranded further in that the following statements borne on the package were statements regarding its curative or therapeutic effects and were false and fraudulent: "Recommended for internal use as an eliminator in conjunction with external application of Bag Balm in treating garget, caked bag and similar udder conditions frequently following calving or resulting from high feeding. * * * In the condition of udder congestion commonly known as simple mastitis, or Garget, Caked Bag, etc. Give one heaping tablespoonful with regular feed every morning. If any swelling accompanies the Garget, bathe with hot water, followed by liberal applications of Bag Balm, rubbing in thoroughly. A full dose of epsom salts should always be given as part of the treatment. * * * Bag Balm For external treatment of the caked bag that frequently follows calving, or swollen quarters resulting from high feeding."

On September 15, 1937, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

HARRY L. BROWN, *Acting Secretary of Agriculture.*

27901. Adulteration and misbranding of Pyradin Compound and Phenatin Compound. U. S. v. Jenkins Laboratories, Inc. Plea of guilty. Fine, \$60. (F. & D. No. 29391. I. S. Nos. 39311, 50995.)

This case involved (1) Pyradin Compound which was represented to contain compounds of salicylates, but it contained no salicylate and did contain acetanilid and acetophenetidin; (2) Phenatin Compound in which acetanilid had been substituted for phenacetin (acetophenetidin). The labels failed to declare the acetanilid and acetophenetidin present in the former and the acetanilid present in the latter product.

On February 13, 1933, the United States attorney for the Northern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Jenkins Laboratories, Inc., Auburn, N. Y. alleging shipment by said company in violation of the Food and Drugs Act on or about December 10, 1931, from the State of New York into the State of Michigan; and on or about January 14, 1932, from the State of New York into the State of Pennsylvania of quantities of Pyradin Compound and Phenatin Compound, respectively, which were adulterated and misbranded.

The Pyradin Compound was alleged to be adulterated in that its strength and purity fell below the professed standard and quality under which it was sold since each tablet was represented to contain 2 grains of salicylates compound, whereas each tablet contained no salicylate but did contain 0.87 grain of acetanilid and 3.39 grains of acetophenetidin. It was alleged to be misbranded in that the statement on the bottle label, "Salicylates Comp. 2 grs. * * * Tablets," was false and misleading; and in that it contained acetanilid and acetophenetidin, a derivative of acetanilid, and its package failed to bear on the label a statement of the quantity and proportion of acetanilid and acetophenetidin contained in the article.

The Phenatin Compound was alleged to be adulterated in that its strength and purity fell below the professed standard under which it was sold, since each of the tablets was represented to contain 3 grains of phenacetin (acetophenetidin); whereas they contained no phenacetin but did contain 2.86 grains of acetanilid per tablet. It was alleged to be misbranded in that the statement "Phenacetine 3 grs.," borne on the bottle label, was false and misleading; and in that it contained acetanilid and the package failed to bear on its label a statement of the quantity and proportion of acetanilid contained in the article.

On January 7, 1938, a plea of guilty was entered on behalf of the defendant and the court imposed a fine of \$60.

HARRY L. BROWN, *Acting Secretary of Agriculture.*